

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JESSE ARON ROSS,

Plaintiff,

v.

BRIAN SANDOVAL, et al.,

Defendants.

Case No. 2:17-cv-02386-APG-GWF

ORDER

This matter is before the Court on Plaintiff's Motion for Sanctions (ECF No. 30), filed on February 23, 2018. Defendants filed their Opposition (ECF No. 31) on February 28, 2018 and Plaintiff filed his Reply (ECF NO. 32) on March 7, 2018.

Plaintiff requests sanctions against Defendants under Fed. R. Civ. P. 11 for misrepresentations of fact stated in their opposition (ECF No. 30) to his motion for preliminary injunction. Defendants argue that Plaintiff failed to comply with the safe harbor provision of Rule 11, which provides that a motion for sanctions must be served on the opposing party and "must not be filed or be presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets." Fed. R. Civ. P. 11(c)(2). Plaintiff served his motion for sanctions on Defendants on February 22, 2018 and filed it on February 23, 2018. Plaintiff concedes that he did not comply with Rule 11's safe harbor provision and requests that the Court deny his motion for sanctions without prejudice or stay any hearing or ruling on the motion. The Court, therefore, denies Plaintiff's motion without prejudice for failing to comply with the safe harbor provision of Rule 11(c)(2). Accordingly,

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